

SUMMARY OF EPA-RELEVANT FY2021 OMNIBUS PROVISIONS

<https://rules.house.gov/sites/democrats.rules.house.gov/files/BILLS-116HR133SA-RCP-116-68.pdf>

Provisions *Directly* Impacting EPA Programs

Division G

Administrative Provisions—Student Workers

Allows OCSPP and OW to contract directly with individuals or indirectly with institutions or nonprofit organizations for the temporary or intermittent personal services of students or recent graduates.

Section 421. Use of American Iron and Steel

Carries forward prior years' language for use of American Iron and Steel products under the Drinking Water State Revolving Fund.

Section 436. Prohibition on the Use of Funds

Prohibits EPA from using any of the appropriated funds to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

Section 437. Greenhouse Gas Reporting Restrictions

Prohibits EPA from using any of the appropriated funds to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

Section 438. Lead Ammo and Fishing Tackle

Prohibits EPA from regulating the lead content of ammunition, ammunition components, or fishing tackle under TSCA.

Section 439. Policies Relating to Biomass Energy

Requires EPA, DOE, and USDA to jointly ensure that Federal policy relating to forest bioenergy is consistent across all Federal departments and agencies and recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management.

Also requires EPA, DOE, and USDA to establish policies for the use of forest biomass as an energy solution, including policies that reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, and encourage private investment throughout the forest biomass supply chain.

Section 440. Small Remote Incinerators

Prohibits EPA from using any of the appropriated funds to implement or enforce the regulation issued on March 21, 2011 with respect to units in the State of Alaska that are defined as “small, remote incinerator” units in those regulations and, until a subsequent regulation is issued, the Administrator must implement the law and regulations in effect prior to such date.

Division S – Innovation for the Environment

Section 101. Reauthorization of Diesel Emissions Reduction Program (*DERA*)

The Energy Policy Act of 2005 is amended by striking “2016” and inserting “2024”.

Section 102. Encouraging Projects to Reduce Emissions. (“USE IT Act”)

Directs EPA to establish a competitive prize program that awards funds to direct air capture research projects to reduce CO₂ from stationary sources. It also establishes a Direct Air Capture Technology Advisory Board of experts to advise the Administrator. In addition, section 102 directs the Secretary of Energy, in consultation with EPA, to establish a research, development, and demonstration program for carbon utilization to identify and evaluate novel uses for carbon. In consultation with DOE, the Administrator is also required to prepare a report regarding carbon dioxide storage in deep saline formations. This section also directs GAO to submit a report to Congress, not later than 5 years after enactment, identifying Federal grant programs regarding carbon capture and utilization technology research and examining any overlap or duplication. The language also directs DOE, in consultation with EPA, to carry out a research, development, demonstration, and commercialization program for carbon utilization. And, it directs DOE and EPA to have the National Academies conduct a study examining the barriers and opportunities related to commercial application of CO₂.

Not later than 180 days after enactment, CEQ, EPA and other Departments will also compile a report on relevant Federal permitting and review information for project developers in the carbon capture, utilization, sequestration (CCUS) space. EPA will serve on a task force established by CEQ that will identify successes and challenges faced by developers and operators of CCUS projects and CO₂ pipelines, and make recommendations to improve the permitting and regional coordination for efficient, orderly and responsible development of such projects.

Section 103. American Innovation and Manufacturing (*AIM Act*)

Authorizes the EPA to regulate hydrofluorocarbons (HFCs). The section phases down (not out) the production and consumption of HFCs over a 15-year period via an allowance allocation and trading program, similar to how Title VI operates. It authorizes EPA to establish standards for the management of HFCs used as refrigerants and for the recovery of used HFCs for resale.

Specifically, the bill provides a list of regulated substances which the Administrator may add to through rule making; provides reporting requirements for regulated substances; and requires EPA to establish both a production baseline and a consumption baseline. The Administrator is then instructed to require compliance with the established production and consumption baselines on an annual basis and is required to phase down those baselines as described in the statute over the span of 15 years. The section allows for designation of exceptions and essential uses. The section requires EPA to provide allowances for certain categories of uses deemed mandatory for the first 5 years. This provision is reviewable and may be renewed if certain criteria are met. Subject to certain criteria, EPA may allow U.S. manufacturers to exceed their production quantity for export. The section provides the ability to petition the Administrator to accelerate a phase down schedule for a regulated substance and the Administrator must make a determination within 270 days of receipt of the petition after public review and comment. Additionally, both production and consumption allowances may be transferred subject to EPA program requirements. The Administrator must promulgate regulations to control practices, processes, or other activities with respect to the servicing, repair, disposal, or installation of equipment by trained technicians. The Administrator may promulgate regulations regarding the recovery and reclamation of substances. The Administrator may award grants to small businesses for the purchase of new equipment for the recycling, recovery, or reclamation of a substitute for a regulated substance.

Division Z—Energy Act of 2020

Section 1001. Coordination of Energy Retrofitting Assistance for Schools.

DOE is directed, in consultation and coordination with the appropriate Federal agencies, to carry out a review of existing programs and financing mechanisms available in or from EPA, USDA, the Department of Energy, the Department of Education, the Department of the Treasury, IRS, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools. DOE is required to submit a report of the findings to Congress within 180 day of enactment.

Section 1003. Energy Efficient Data Centers

Directs DOE and EPA to work more closely with industry stakeholders in the information technology industry to promote energy efficiency improvements at data centers. It directs DOE and EPA to consider and assess the adequacy of existing specifications, measurements, best practices, and benchmarks for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of DOE or EPA. The section also directs DOE, in collaboration with EPA, to issue a public update to the 2016 Lawrence Berkeley National Laboratory report entitled ‘United States Data Center Energy Usage Report’ within four years of enactment.

Section 1004. Energy-Efficient and Energy-Saving Information Technologies

Not later than 1 year after the date of enactment, each Federal agency must coordinate with EPA, OMB, and DOE to develop an implementation strategy (including best-practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy efficient and energy-saving information technologies at or for facilities owned and operated by the Federal agency.

Section 3102. Program to Improve Eligible Project Permit Coordination

Directs DOE to, within 180 days of enactment, enter into an MOU with EPA, USDA, and DoD with the intention of DOE establishing and implementing a program to improve Federal permit coordination.

Section 5001. Carbon Removal

Directs DOE and appropriate Federal agencies to establish a research, development and deployment program to examine the methods, technologies, and strategies to remove carbon dioxide from the atmosphere at a large scale.

It also requires DOE, in consultation with EPA, to award prizes to commercial direct air capture projects for qualified facilities that capture CO₂ directly from the ambient air and capture more than 50,000 metric tons of CO₂ annually. Also, DOE shall collaborate with EPA to develop and improve accounting frameworks and tools to accurately measure carbon removal and sequestration methods and technologies.

Section 5002. Carbon Dioxide Removal Task Force and Report

Not later than 180 days after enactment, DOE is directed to, in consultation with the heads of any other relevant Federal agencies, prepare a report that estimates the magnitude of excess carbon dioxide in the atmosphere that will need to be removed by 2050 to achieve net-zero emissions and stabilize the climate; inventories current and emerging approaches of carbon dioxide removal; and identifies recommendations that the Federal Government can use to sufficiently advance the deployment of carbon dioxide removal projects.

Not later than 60 days after the date of enactment DOE is required to establish a task force to identify barriers to advancement of carbon dioxide removal methods and the deployment of carbon dioxide removal projects; to inventory existing or potential Federal policy tools that are capable of advancing carbon dioxide removal methods and the deployment of carbon dioxide removal projects; to assist in preparing the report described above; and to advise the Secretary on matters pertaining to carbon dioxide removal. The task force is to be composed of members chosen through criteria established by DOE and is required to meet no less than once per year.

Section 6003. Industrial Emissions Reduction Technology Development Program

Requires DOE to establish an industrial emissions reduction technology research, development, demonstration, and commercial application program. Not later than 1 year after enactment, DOE, in consultation with the heads of relevant Federal agencies and others, shall establish a crosscutting industrial emissions reduction technology development program of research, development, demonstration, and commercial application to advance innovative technologies.

Provisions *Indirectly* Impacting EPA Programs

Division D—Energy and Water Development and Related Agencies Appropriations Act, 2021

This Division authorizes first-time appropriations for the Corps of Engineers' version of the WIFIA program (known as the Corps Water Infrastructure Financing Program, or CWIFP). The bill appropriates \$12 million for the Corps to provide up to \$950 million in project financing. The Corps is required to submit a report to the Committees within 30 days on how it plans to set up the program.

Of note, the Corps is required to comply with the criteria published by EPA, OMB, and Treasury on June 30, 2020, in response to FY20 appropriations act direction regarding budget screening criteria for federal assets. Like EPA, the Corps also must provide project information to CBO upon request.

Division H—Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021

HHS's Administration for Children and Families is appropriated \$638 million to establish a low-income household drinking water and wastewater emergency assistance grant program. HHS shall make grants to states and tribes, who will then provide funds to public water systems or treatment works to reduce balances of unpaid bills and reduce water rates. The legislation does not discuss coordination with EPA.

Division K—Department of State, Foreign Operations and Related Programs Appropriations Act, 2021

Congress appropriates \$75 million for the State Department's efforts to address ocean plastic pollution and other marine debris, a \$70 million increase from FY20. State is directed to consult with Treasury, USAID, and the heads of other relevant federal agencies on establishing a multilateral fund for ocean plastic pollution and other marine debris.

Division R—Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2020

Section 113. Leak Detection and Repair.

Requires DOT to promulgate regulations within one year that require operators of regulated gathering lines, operators of new and existing gas transmission pipeline facilities, and operators of new and existing gas distribution pipeline facilities to conduct leak detection and repair programs.

Division Z—Energy Act of 2020

Section 1010. Energy and Water for Sustainability

Establishes requirements concerning the energy-water nexus, which means the links between (1) the water needed to produce fuels, electricity, and other forms of energy; and (2) the energy needed to transport, reclaim, and treat water and wastewater. It requires DOE and DOI to establish a joint Nexus of Energy and Water for Sustainability (NEWS) Office and Interagency Coordination Committee on NEWS to plan for and coordinate energy-water nexus research, development, and demonstration activities. The Committee will convene and promote coordination of research, development and deployment activities of relevant Federal agencies on energy-water nexus.

Section 1014. Smart Energy Water Efficiency Pilot Program

Creates a DOE-managed competitive pilot grant program focused on energy and water efficiency among water, wastewater, and water reuse systems. The program will select 3-5 projects and DOE is authorized \$15 million to carry out the program.

Section 3001. Water Power Research and Development

Reauthorizes DOE's hydroelectric and marine energy research, development, and demonstration activities. With respect to marine energy, DOE is to work with NOAA and other relevant federal agencies on assessing environmental impacts. DOE is also authorized to support technology deployment in rural, tribal, and low-income communities and to support marine energy workforce development.

Section 3002. Advanced geothermal innovation leadership

Reauthorizes and expands DOE's geothermal energy research and development programs, including assessing and mitigating environmental impacts. DOE is to coordinate to the maximum extent practicable with EPA and with other relevant federal agencies. DOE is required to establish a number of research sites to develop, test, and enhance geothermal techniques and tools.

Section 4001. Fossil Fuels

For the purposes of fossil fuel technology research, this section requires DOE to prioritize activities and strategies that have the potential to significantly reduce emissions for each technology relevant to the applicable objective and the international commitments of the United States.

Section 4002. Establishment of Carbon Capture Demonstration Program

Creates a new DOE carbon capture technology research and development program, including efforts to identify appropriate sites for large-scale geologic storage. DOE is to establish six demonstration projects across different industrial sectors.

Section 4003. Carbon Storage Validation and Testing

Directs DOE to establish a research, development, and deployment program for carbon storage; a large-scale carbon sequestration demonstration program; and an integrated storage program. This section requires DOE to provide information to EPA, states, and other stakeholders to ensure protection of human health and the environment.

Section 4004. Carbon Utilization Program

Requires DOE to establish a carbon capture technology program for the development of transformational technologies that will significantly improve the efficiency, effectiveness, costs, emissions reductions, and environmental performance of coal and natural gas use, including in manufacturing and industrial facilities.

Section 4005. High Efficiency Turbines

Requires DOE to establish a multiyear, multiphase program of research, development, and technology demonstration to improve the efficiency of gas turbines used in power generation systems and aviation.

Section 4008. Produced Water Research and Development

DOE shall establish a research and development program on produced water to develop new technologies and practices to reduce the environmental impact and opportunities for reprocessing of produced water at natural gas or oil development sites.

Section 8004. Grid Integration Research and Development

Not later than 1 year after enactment, DOE shall submit to Congress a report on the results of a study that examines the research, development, and demonstration opportunities, challenges, and standards needed for integrating electric vehicles onto the electric grid. DOE is directed to consult with all relevant Federal agencies in the development of this report.

Division AA—Water Resources Development Act of 2020

WRDA 2020 is comprised of provisions affecting regional waterbodies, both inland and coastal, and broad issues such as harmful algal blooms, dredged material disposal, resiliency, aquatic species and shoreline restoration, and invasive species policy and prevention. The activities included in Division AA are directed to the Secretary of the Army; none are directed to EPA. EPA's equities are indirect, such as through provisions requiring the Corps to consult with other federal agencies or minimize duplication with other agencies. Specific geographic provisions of interest include a requirement that the Corps evaluate alternative water management approaches for Lake Okeechobee to reduce algal blooms in Florida, and authorization of the Brandon Road Asian carp prevention project in Illinois. EPA Regional Congressional Liaisons reviewed provisions of the final WRDA and raised no concerns.

Division EE—Taxpayer Certainty and Disaster Tax Relief Act of 2020

This division reauthorizes a number of tax credits that are at least indirectly relevant to EPA. Of greatest note, Division EE extends the Section 45Q tax credit for carbon sequestration by two years, until January 1, 2026. Congress also extends tax credits for renewable energy, second-generation biofuel production, fuel cell vehicles, alternative-fuel vehicles, energy efficient homes, residential energy efficiency and biomass utilization, waste energy, and offshore wind.

SUMMARY OF EXPLANATORY STATEMENT

<https://docs.house.gov/bills/thisweek/20201221/BILLS-116RCP68-JES-DIVISION-G.pdf>

Required Briefings or Reports for Appropriators with Specific Dates

- **By 1/26/2021: Report** detailing status of Gold King Mine claims process
- **By 2/25/2021: Briefing** on planned FY21 PFAS-related actions, including a spend plan at the program project level.
- **By 2/25/2021: Briefing** on EPA's plans for moving forward on the PFAS MCL process under SDWA.
- **By 2/25/2021: Briefing** on EPA's efforts to develop a policy to ensure fish processors that use the best grinding practices are considered to be in compliance with the CWA.
- **By 2/25/2021: Report** on the Southeast New England Coastal Watershed Restoration Program, including details on EPA's investment in "a local capacity building program" in lieu of funding projects; how EPA intends to build technical capacity; and metrics for assessing progress.
- **By 2/25/2021: Briefing** on planned Agency actions to process the existing applications under the Renewable Fuels Pathway II rule for the electric pathway.
- **By 2/25/2021: Briefing** on any additional planned updates to the Motor Vehicle Emissions Simulator (MOVES) fuel emissions life-cycle modeling and data, and as part of this briefing, the Agency should discuss underlying data used in the current model, and the cost of updating the model.
- **By 2/25/2021: Briefing** on EPA's plans to finalize a rule permitting the production, transfer, and use of biointermediates.
- **By 2/25/2021: Briefing** on actions EPA plans to take in response to the public comments received on the proposed changes to emission standards established under Section 111(b) of the Clean Air Act and on any planned regulatory actions regarding quick start stationary combustion turbines under the Clean Air Act.
- **By 2/25/2021: Report:** Expedite review and release report on the projected economic, consumer, and compliance costs associated with the phase down of hydrofluorocarbons.
- **By 2/25/2021: Report** on status regarding Strengthening Use of Science.
- **By 2/25/2021: Briefing** on STAR grants.
- **By 2/25/2021: Briefing** on microplastics analysis standards.
- **By 2/25/2021: Briefing** on how EPA can work with states to ensure that State Revolving Fund-funded projects use safe and non-harmful rubber gaskets.
- **By 3/12/2021: Briefing** on how EPA plans to provide multipurpose grants for FY21.
- **By 3/27/2021: Briefing** on what steps the Agency will take to better incorporate stakeholder input into the ENERGY STAR program.
- **By 3/27/2021: Briefing** on how the Agency would approach future exercises of enforcement discretion during emergencies or disasters.
- **By 3/27/2021: Briefing** on the funding distribution for the WIIN Act small and disadvantaged communities drinking water grant program.
- **By 6/25/2021: Report:** Submit a Great Lakes and Lake Champlain Invasive Species Program implementation plan for FY21.
- **By 6/25/2021: Report** to Congress on the progress made to engage with other Federal agencies, states, private landowners, and stakeholders on efforts to create markets for low-grade and low-value wood (slash and precommercial thinnings) as feedstocks for the production of alternative fuels.
- **By 6/25/2021: Report** on efforts to monitor, remove, and eliminate the use of asbestos

- By 9/23/2021: **Report** on the findings, strategy, and recommendations of the Mississippi River Restoration and Resiliency Strategy (newly funded at \$2m in FY21).
- By end of FY2021: **Report** to Congress including a table showing how fiscal year 2019 and 2020 Targeted Airshed Grant funds were allocated. The table should also include grant recipients and metrics for anticipated or actual results.
- By 12/27/2021: **Briefing and report** on recommendations to improve SDWA Class VI permitting procedures for commercial and research carbon sequestration projects. The report should be coordinated with DOE, states, permit applicants, and NGOs.
- After Finalization of Lead and Copper Rule (*announced 12/22/20, not yet published in FR*): **Briefing** on the final rule's environmental and health impacts, including how it addresses health equity disparities.
- Annually: The Committees direct the Agency to continue submitting annual Power Sector Program Progress **Reports** to Congress as required under the Clean Air Act.
- Not later than 45 days after the end of each quarter: The Agency shall submit data on the number of FTE employed by the Agency in the same format as the fiscal year 2020 FTE target data was submitted.

Required Briefings or Reports for Appropriators with No Specific Dates

- **Briefing** on planned use of additional \$250k for water system security (including cybersecurity), and on future funding needs.
- **Briefing** before publishing a multi-year Request for Applications for grant funding.
- **Report** to the committee and DOE 10 days prior to issuing a decision on a waiver petition, should EPA disagree with a small refinery waiver recommendation from DOE, either to approve or deny.
- **Briefing** on Inorganic Arsenic if and when the revised risk assessment is completed.
- **Report** detailing the amounts and sources of funds used to administer and provide oversight of these grant programs within this appropriation. The report should be submitted along with the Agency's annual operating plan.
- **Notification** when review completed on petition to add chitosan to the Minimum Risk Pesticide List.

Additional Details on Items of Note:

Overall Agency

Workforce and Staffing Plans. The explanatory statement accompanying Public Law 116-94 included directions for the Agency to develop workforce and staffing plans related to the Agency's FTE levels in fiscal year 2020. For fiscal year 2021, the Committees expect the Agency to submit as part of its operating plan, staffing targets by National Program Management area, in line with the Agency's enacted appropriation. The Committees expect the Agency to continue to develop workforce and staffing plans. Further, not later than 45 days after the end of each quarter, the Agency shall submit data on the number of FTE employed by the Agency in the same format as the fiscal year 2020 FTE target data was submitted.

Categorical Grant: Multipurpose Grants. The Agency is directed to brief the Committees within 75 days of enactment of this Act on how it plans to provide Multipurpose Grants for fiscal year 2021.

Administration of Grants. For grant programs within this appropriation, the Administrator shall

submit a report detailing the amounts and sources of funds used to administer and provide oversight of these grant programs. The report should be submitted along with the Agency's annual operating plan.

Legal/Science/Regulatory/Economic Review. The Agency is directed to keep the Committees apprised of SAB engagement practices and policies.

Transparency of Public Calendars. The Agency is directed to follow the guidance in Senate Report 116-123 (*The Committee appreciates the Agency's recent steps to post the daily calendars of the Agency's senior leaders on the Agency's public website. These efforts follow a traditional commitment by the Agency to provide a high level of transparency of officials' calendars. The Committee directs the Agency to continue publishing such daily calendars and, to the extent it is practicable, encourages the Agency to take steps to publish calendars within 24 hours of the end of each day in which official or political business is conducted, including the calendars of the Administrator, Deputy Administrator, each Regional Administrator, and any individuals serving in an acting capacity for such positions. As the EPA continues to take steps to improve transparency, the Agency should ensure that each daily calendar includes meetings, calls, and events, as well as the names of the organizations represented in those meetings, calls, or events.*)

Information Exchange/Outreach. The Committees are aware that the Agency is initiating the final year of a Spanish-language radio outreach program to educate farm workers and pesticide handlers about improving worker safety when applying pesticides in agriculture operations. The Committees note support from outside parties of the radio outreach effort as having materially improved farm workers' knowledge and ability to reduce exposure risks for themselves and their families, and that research indicates the importance of message repetition over an extended period. The Committees urge the Agency to continue this Spanish-language radio outreach program beyond the final year of the current effort.

Homeland Security. The agreement provides \$35,733,000 for Homeland Security. Of the funds provided, \$250,000 shall be for planning for monitoring and bolstering physical security and cyber security of the Nation's water systems. The Committees are concerned about public reports of cyberattacks on water systems around the world and provides additional funding for planning for the Agency to support the Nation's water systems from cyber threats. The Agency is directed to brief the Committees on spending of this additional funding and on future funding needs in this area.

COVID-19

Health Outcomes and Links to Pollution. In lieu of direction under the heading "Coronavirus Health Outcomes and Links to Pollution" in House Report 116-448, the Committees encourage the Agency to investigate any linkages between exposure to pollution and increased risk for adverse health outcomes from communicable respiratory diseases.

PFAS

Per- and Polyfluoroalkyl Substances (PFAS) and Contaminants of Emerging Concern. The Committees provide no less than \$49,011,000, a \$10,011,000 increase above the fiscal year 2020 enacted levels, for the Agency to continue taking action on PFAS. Of this total, \$20,000,000 is provided for support to States to address PFAS through treatment, remediation, and cleanup. Within 60 days of enactment of this Act, the Agency is directed to brief the Committees on planned fiscal year 2021 PFAS-related actions and provide the Committees with a spend plan which details funding at the program project level.

Of the funds provided to the Office of Research and Development, no less than \$20,000,000 shall be for priority actions under the PFAS Action Plan, an increase of \$2,000,000. Of such funds, not less than \$5,000,000 shall come from the Science and Technology appropriation, including \$3,000,000 from Research: Safe and Sustainable Waters, and no less than \$15,000,000 shall be derived from a transfer from the Hazardous Substance Superfund appropriation.

Of the funds provided under this account, no less than \$6,511,000 shall be for priority actions under the PFAS Action Plan, an increase of \$5,511,000. Of such funds, the Committees direct that not less than \$411,000 shall be from the Toxics Release Inventory program project, not less than \$1,100,000 shall be from Toxics Review and Risk Prevention, not less than \$2,500,000 shall be from Water: Human Health, and not less than \$2,500,000 shall be from Water Quality Protection.

Of the funds provided under this account, not less than \$17,500,000 shall be for priority actions under the PFAS Action Plan, an increase of not less than \$2,500,000. Of such funds, the Committees direct that not less than \$10,000,000 shall be from Research: Chemical Safety, not less than \$5,000,000 shall be from Research: Sustainable Communities, and not less than \$2,500,000 shall be for other priority work on PFAS chemicals under CERCLA. The amounts provided for research purposes should be included in the transfer to the Science and Technology account.

PFAS MCL. The Committees note that the Agency's published "Per- and Polyfluoroalkyl Substances (PFAS) Action Plan" calls for moving forward with the maximum contaminant level process outlined in the Safe Drinking Water Act (Public Law 93-523) for PFAS chemicals. The Committees support this action and urge the Agency to act expeditiously on this matter. The Committees direct the Agency to brief the Committees within 60 days of enactment of this Act about its plans for this action.

NIEHS Funding. The agreement provides \$81,500,000 for the National Institute of Environmental Health Sciences. The Committees continue the \$2,000,000 increase provided in fiscal year 2020 as base funds in fiscal year 2021 to further the Institute's work on PFAS and other contaminants of emerging concern.

ATSDR Funding. The agreement provides \$78,000,000. The Committees continue the \$2,000,000 increase provided in fiscal year 2020 as base funds in fiscal year 2021 to further the Agency's work on PFAS and other contaminants of emerging concern. . . . The Agency shall follow direction included in Senate Report 116-123 with regards to per- and polyfluoroalkyl substances.

[Senate Report Language in Senate Report 116-123 – *Per- and Polyfluoroalkyl Substances [PFAS]*. The Committee recognizes the importance of making information available on PFAS to understand and address the needs of communities exposed to these chemicals and is aware that ATSDR toxicological profile for four PFAS substances prepared pursuant to 42 U.S.C. 9604(i)(2) has been released as a draft for public comment. This information is critically important to Federal and State efforts to respond and strengthen the effectiveness of drinking water advisories or standards for these materials. Therefore, ATSDR is directed to publish to the Federal Register within 15 days of enactment of the final toxicological profile which includes the chemicals PFOA, PFOS, PFNA, and PFHxS. Furthermore, within 15 days of enactment of this act, ATSDR is directed to work with the appropriate Federal partners to submit a report to the Committee identifying any changes made after January 30, 2019, to the toxicology profile of the PFAS

substances and include ATSDR's recommendations for next steps for addressing health concerns related to PFAS.]

Air

Clean Air. Within the funds provided to the Office of Transportation and Air Quality (OTAQ), not less than \$500,000 shall be for processing applications under the Renewable Fuels Pathway II rule for the electric pathway. The Committees note the backlog of applications under the Renewable Fuels Pathway II rule finalized in 2014. No applications for the electric pathway, which could help support rural agricultural communities, have been approved since the rule went into effect. The Agency shall take action on the existing applications within 90 days of the enactment of this Act. The Agency is further directed to brief the Committees within 60 days of enactment of this Act on planned Agency actions to process the existing applications.

Clean Air. The Committees are aware that the Agency recently updated its Motor Vehicle Emissions Simulator (MOVES) model in November 2020. Within 60 days of enactment of this Act, the Agency is directed to brief the Committees on any additional planned updates to fuel emissions life-cycle modeling and data, and as part of this briefing, the Agency should discuss underlying data used in the current model, and the cost of updating the model.

Clean Air. The Committees are aware that the Agency has begun the Cleaner Trucks Initiative for heavy-duty trucks, which will help areas achieve and maintain attainment with air quality standards. The Committees urge the Agency to develop a final rule that minimizes ozone- and particulate matter-forming nitrogen oxides (NOx) emissions from heavy-duty vehicles, and urge the Agency to work cooperatively with states and local air pollution control bodies to ensure the final rule supports these NOx control needs and efforts.

Clean Air. The agreement includes the direction in House Report 116-448 for the Agency to continue submitting annual Power Sector Program Progress Reports to Congress as required under the Clean Air Act.

Clean Air. The Committees encourage the Agency to inform States of applicable tools, such as output-based regulations, that will encourage fuel efficiency as an air pollution prevention measure and assist states in meeting environmental and energy goals.

Slash and Precommercial Thinnings. The Committees are aware of the interest in using low-grade and low-value forest biomass as a feedstock for development of alternative fuels. The Agency is directed to report to the Committees, within 180 days of enactment of this Act, on the progress made to engage with other Federal agencies, states, private landowners, and stakeholders on efforts to create markets for low-grade and low-value wood.

ENERGY STAR. The Committees encourage the Agency to prioritize work in the areas outlined in House Report 116-448. (*The Committee expects the Agency to prioritize the following priority areas: increased technical support, data collection and data analysis in the Portfolio Manager program, particularly with state and local partners, including school systems; increased promotion of the ENERGY STAR Most Efficient program; the ENERGY STAR for tenants program; and increased capacity in the products division. The Committee expects the program to accomplish these objectives through increased FTEs and contracted services. Further, the Committee supports the Agency's efforts to reexamine ENERGY STAR guidelines and standard operating procedures to ensure transparency, predictability, and consistency for all stakeholders.*) The Agency is directed to brief the Committees

within 90 days of enactment of this Act on what steps the Agency will take to better incorporate stakeholder input into the program.

Biointermediates. The Agency is directed to continue to follow the guidance contained in Senate Report 116-123 regarding biointermediates. *(The Committee recommends the Agency finalize a rule permitting the production, transfer, and use of biointermediates in renewable fuel production, as soon as practicable, consistent with the biointermediates provisions included in the REGS rule, the record of the public hearing held on December 16, 2016, and public comments received in the docket associated with the proposed rule. Further, the Committee recommends that the Administrator, consistent with the pathway provisions in the REGS rule addressing coprocessing, review the renewable fuel pathways so as to ensure the inclusion of biointermediates, including those coprocessed with petroleum to produce cellulosic gasoline, diesel, jet fuel, and heating oil, and revise the definition of cellulosic diesel to permit renewable fuel that is coprocessed with petroleum to qualify. The Committee encourages the Agency to allow the use of either of the two methods for determining the renewable content of co-processed fuels currently found at 40 CFR 80.1426(f)(4).)* Consistent with the guidance in Senate Report 116-123, the Committees expect the Agency to finalize a rule permitting the production, transfer, and use of biointermediates within 90 days of the date of enactment of this Act. The Committees direct the Agency to brief the Committees within 60 days of enactment of this Act about its plans for action.

Electric Reliability. The Committees are aware that on December 20, 2018, the Agency requested public comment on potential changes to emission standards established under section 111(b) of the Clean Air Act to address the use of quick start stationary combustion turbines to respond to system reliability challenges. The Agency is directed to brief the Committees within 60 days of enactment of this Act on actions it plans to take in response to the public comments received and on any planned regulatory actions regarding quick start stationary combustion turbines under the Clean Air Act.

Hydrofluorocarbons Report. The Committees are concerned with the delay surrounding the release on the projected economic, consumer, and compliance costs associated with the phase down of hydrofluorocarbons. The Agency is directed to expedite any ongoing review processes and release the report within 60 days of enactment of this Act.

Small Remote Incinerators. The Agency is directed to follow the guidance in Senate Report 116-123 *(The Committee believes the Agency's efforts to regulate small remote incinerators [SRIs] will have negative impact on remote areas in Alaska where traditional waste disposal methods are unavailable. In its original efforts to regulate SRIs, the Agency recognized these issues and exempted SRIs in Alaska. Following the Agency's decision to reverse course because of a court decision, the Committee and stakeholders have attempted to work with the Agency for at least 4 years. Unfortunately, those efforts have not resulted in any relief for users of SRIs in Alaska. Therefore, the bill includes language delaying enforcement as the Committee, stakeholders, and the Agency work toward a solution. The Committee appreciates the work of the Agency and encourages all parties to find a solution by the end of fiscal year 2020. The Committee directs the Agency to brief the Committee on its progress on a quarterly basis.)*. The Committees note the bill includes language delaying enforcement.

Solid Sodium Cyanide Briquettes. The Agency is directed to follow the guidance in Senate Report 116-123 *(The Committee is concerned about reports of potential environmental impacts of imported solid sodium cyanide briquettes for mining purposes that fail to meet current industrial standards. The Agency should appropriately monitor the situation.)*.

Small Refinery Relief. The Committees continue the directive contained in Senate Report 114-281 related to small refinery relief (*When making decisions about small refinery exemptions under the RFS program, the Agency is directed to follow DOE's recommendations which are to be based on the original 2011 Small Refinery Exemption Study prepared for Congress and the conference report to division D of the Consolidated Appropriations Act of 2016. Should the Administrator disagree with a waiver recommendation from the Secretary of Energy, either to approve or deny, the Agency shall provide a report to the Committee on Appropriations and to the Secretary of Energy that explains the Agency position. Such report shall be provided 10 days prior to issuing a decision on a waiver petition.*). The Agency is reminded that, regardless of the Department of Energy's recommendation, additional relief may be granted if the Agency believes it is warranted.

Vehicle Idling Training. The Agency is directed to follow the guidance in Senate Report 116-123 (*The Agency is directed to conduct a cross agency analysis to determine which branches of government could achieve savings and improve air quality by engaging in external programs, including University Extension programs, that offer training for idle reduction and fuel efficient driving.*).

Diesel Emission Reductions Grants (DERA). The Committees direct the Agency to continue to make at least 70 percent of DERA grants available to improve air quality in non-attainment areas.

Targeted Airshed Grants. These grants shall be distributed on a competitive basis to nonattainment areas that the Agency determines are ranked as the top five most polluted areas relative to annual ozone or particulate matter 2.5 standards, as well as the top five areas based on the 24-hour particulate matter 2.5 standard where the design values exceed the 35 mg/m³ standard. To determine these areas, the Agency shall use the most recent design values calculated from validated air quality data. The Committees note that these funds are available for emission reduction activities deemed necessary for compliance with national ambient air quality standards and included in a State Implementation Plan submitted to the Agency. Not later than the end of fiscal year 2021, the Agency should provide a report to the Committees that includes a table showing how fiscal year 2019 and 2020 funds were allocated. The table should also include grant recipients and metrics for anticipated or actual results.

Categorical Grant State and Local Air Quality Management. The Agency is directed to allocate funds for this program using the same formula as fiscal year 2015. The Committees understand the Office of Air and Radiation was able to provide some additional funds to the States in fiscal year 2016 using balances. The Committees encourage the Agency to do the same in fiscal year 2021 and to provide those additional funds to the regions with the highest need. Should the Agency seek to change the formula, it should submit a proposal in its fiscal year 2022 budget justification for consideration by the Committees.

Use of Iron and Steel. The Committees acknowledge that the Agency may issue a waiver of said requirements for de minimis amounts of iron and steel building materials. The Committees emphasize that any coating processes that are applied to the external surface of iron and steel components that otherwise qualify under the procurement preference shall not render such products ineligible for the procurement preference regardless of where the coating processes occur, provided that final assembly of the products occurs in the United States.

Water

Combination of Separate Fiscal Year Grant Funding. The Committees are concerned over instances in which the Agency has combined separate fiscal year grant appropriations and put out a multiyear Request for Application without consulting the Committees beforehand. The Agency is directed to brief the Committees before publishing a multi-year Request for Application of grant funding. (*Note: The*

Committees also identify this issue with respect to funding for water and wastewater system technical assistance under “Environmental Protection: National Priorities,” and direct that EPA must obtain Committee approval before combining funding from multiple fiscal years for these water grants.)

Hexavalent Chromium. The Committees encourage the Agency to expeditiously continue assessing the Maximum Contaminant Level for hexavalent chromium and to keep the Committees apprised of its review.

Enhanced Aquifer Use. The agreement provides \$2,000,000 from Research: Safe and Sustainable Waters for research for Enhanced Aquifer Use and Recharge, and the Agency is directed to continue following the guidance contained in the explanatory statement accompanying Public Law 116-94. *(The Agency shall distribute funds to appropriate Research Centers to carry out research activities that would directly support groundwater research on Enhanced Aquifer Recharge, including support of sole source aquifers; to work collaboratively with U.S. Geological Survey to carry out these activities; and to partner, through cooperative agreements, contracts, or grants, with universities, Tribes, and water related institutions for planning, research, monitoring, outreach, and implementation in furtherance of Enhanced Aquifer Recharge research.)*

Harmful Algal Blooms. The agreement provides \$6,000,000 and the Agency is directed to follow the guidance in House Report 116-448 and Senate Report 116-123. *(\$6,000,000 is made available to investigate adverse health effects from exposure to HABs and cyanobacteria toxins and to develop methods to monitor, predict, and characterize blooms to allow for early action.)*

Great Lakes Restoration Initiative. The agreement provides \$330,000,000 for the Great Lakes Restoration Initiative, and the Agency is directed to follow the guidance in House Report 116-448... *(The Committee does not include bill language, as requested, authorizing the Agency to establish cost-share requirements for GLRI funds. The Committee directs the Agency and the other Federal partners to continue to work together in coordination with the Great Lakes States, Tribes, local authorities, and nonfederal stakeholders to prioritize action-oriented projects in lieu of additional studies, monitoring and evaluations...As the Agency distributes funds across the five focus areas, tribal related activities should be maintained at not less than \$15,000,000. Further, the Committee strongly supports ongoing work to reduce the growth of harmful algal blooms and encourages continued focus on watersheds where remediation work reduces the threat to human health...)*

Gulf of Mexico. The Agency is directed to distribute funds in the same manner as in fiscal year 2020...The Committees direct the Agency to coordinate with the U.S. Department of Agriculture, the Gulf States, and other State, local, and private partners to leverage greater resources toward conservation projects on working-lands within the Gulf Region and Mississippi River Basin.

Southern New England Estuaries. The Committees are aware that the Agency has dedicated a significant portion of funding under the Southeast New England Coastal Watershed Restoration Program toward a local capacity building program rather than to projects. The Committees direct the Agency to submit a report no later than 60 days after the enactment of this Act detailing the scope of this investment, how it intends to build technical capacity within the area covered by the geographic program, and the metrics for assessing its progress.

Great Lakes and Lake Champlain Invasive Species Program. The Committees look forward to reviewing the plan directed in Public Law 116-94 on the Agency's expected actions in fiscal year 2020 to implement the Great Lakes and Lake Champlain Invasive Species Program (GLLCISP) as authorized

by the Vessel Incident Discharge Act (Public Law 115-282). In fiscal year 2021, the Committees direct the Agency to build on these implementation efforts to reduce the risk of introduction of invasive species into the Great Lakes and Lake Champlain. The Agency is directed to include details of this program as part of the Agency's operating plan and to submit a GLLCISP implementation plan for fiscal year 2021 within 180 days of enactment of this Act.

Water: Human Health. The Committees direct the Agency to maintain the Beach/Fish program project at the enacted level. Of the increase provided, \$1,000,000 is to further support implementation of requirements under America's Water Infrastructure Act of 2018 (Public Law 115-270).

Within available funds, not less than \$3,000,000 is for the Agency's work within the Underground Injection Control program related to Class VI wells for geologic sequestration to help develop expertise and capacity at the Agency. These funds should be used by the Agency to review and process Class VI primacy applications from States and Tribes and to directly implement the regulation, where States have not yet obtained primacy by working directly with permit applicants. Additionally, the Agency is directed to submit a report and provide a briefing to the Committees not later than one year after enactment of this Act on recommendations to improve Class VI permitting procedures for commercial and research carbon sequestration projects. The report should be drafted in consultation with the Department of Energy, relevant State agencies, previous permit applicants, and nongovernmental stakeholders.

Water Quality Protection. The agreement...increases funding for the Agency's ongoing work on harmful algal blooms by \$1,000,000. The Committees reject the proposed elimination of the WaterSENSE program and the Urban Waters program and provide not less than the fiscal year 2020 enacted level for these programs.

Integrated Planning. The Committees support the Agency's ongoing activities related to integrated planning, which will be increasingly necessary as States and communities work to meet their myriad clean water obligations while keeping rates affordable for water ratepayers. The Committees direct that funding for Office of Municipal Ombudsman, as authorized by Congress, be funded at no less than the fiscal year 2020 enacted level.

Discharges of Pre-Production Materials into Waterways. The Committees are concerned about the discharge or runoff of plastic pellets and other plastic materials into waterways before they become consumer and industrial products. The Committees encourage the Agency to appropriately consider this pre-production material discharge in future Agency actions.

Fish Grinding. The Agency is directed to develop a policy to ensure that fish processors using the best available grinding technology and/or best conventional practices will be considered in compliance with applicable requirements under the Clean Water Act. The Agency should brief the Committees on its efforts within 60 days of enactment of this Act.

Kootenai Watershed. The Agency is directed to continue and expand its work coordinating with Federal, State, local, and Tribal agencies to monitor and reduce transboundary hazardous contaminants in the Kootenai watershed. These efforts should be funded at no less than the enacted level.

Lead and Copper Rule. The agreement notes that on November 13, 2019, the Agency published proposed revisions to the Lead and Copper Rule in the Federal Register. After finalizing the rule, the

Agency is directed to provide a briefing to the Committees on the rule's environmental and health impacts, including how the final rule addresses health equity disparities.

Mississippi River Restoration and Resiliency Strategy. The agreement includes \$2,000,000, including not less than \$859,000 from the Water: Ecosystems program, to carry out the Mississippi River Restoration and Resilience Strategy described under this heading in House Report 116-448. *(The Committee recognizes that the Mississippi River basin from Minnesota to Louisiana is a vital American waterway. From funds within the Water: Ecosystems program area, the Committee directs the Agency to establish a Mississippi River Restoration and Resiliency Strategy, in coordination with the U.S. Army Corps of Engineers, the Department of Agriculture, the Department of the Interior, the Federal Emergency Management Agency, the National Oceanic and Atmospheric Administration, as well as state, local, and tribal governments, and business and non-profit stakeholders. The strategy will inventory existing federal and state investments in the Mississippi River basin, identify gaps, and make recommendations for policy actions focused on improving water quality, restoring habitat and natural systems, improving navigation, eliminating aquatic invasive species, and building local resilience to natural disasters. The Committee directs the Agency to report the findings, strategy, and recommendations not later than 270 days after enactment of this Act.)*

Infrastructure Assistance. The Committees are aware that the Agency requires a certified operator in order to release funds for certain water and sanitation funding; however, some communities do not have a community system for either, or access to a certified operator. Therefore, the Committees direct the Agency to work with the Indian Health Service and those communities that lack water and sanitation systems, as well as a certified operator, to prevent the potential loss of funding and develop a training plan for operator certification.

Assistance to Small and Disadvantaged Communities. The agreement provides \$26,408,000. The Agency is directed to follow the guidance in Senate Report 116-123. *(The Committee is concerned with the Agency's funding distribution to States for the grant program, particularly in regard to how the number of small and disadvantaged communities in each State is considered. The Committee expects the Agency to review its funding distribution and brief the Committee on the matter within 90 days of enactment of this act.)*

Combined Sewer Overflow Grants. The agreement provides \$40,000,000 for Combined Sewer Overflow Grants. The Committees are aware that the Agency published a proposed state allocation formula in the Federal Register on August 4, 2020. The Committees urge the Agency to expeditiously finalize its allocation scheme so that states may begin awarding grants to projects that manage, reduce, or capture stormwater, or that otherwise improve municipal wastewater systems, thereby reducing flood risk, protecting public health, and enhancing the economic vitality of the community.

Categorical Grant: Public Water System Supervision. The agreement provides \$112,000,000 in Public Water System Supervision Grants, and of the funds provided, \$10,000,000 is to further support States, Territories, and Tribes in addressing PFAS and other contaminants of emerging concern as they carry out their Public Water System Supervision programs.

Rubber Gaskets. The Agency is directed to follow the guidance in Senate Report 116-123. *(The Committee is aware of concerns about the use of rubber gaskets that do not meet the National Sanitation Foundation and American National Standards Institute Standard 61 [NSF/ANSI 61] in potable water systems... The Agency is directed to brief the Committee within 60 days of enactment of this Act on how*

the Agency can work with States to ensure projects funded by SRFs use safe and non-harmful rubber gaskets.)

Land and Waste

Brownfields Program. The bill directs that at least 10 percent of such grants be provided to areas in which at least 20 percent of the population has lived under the poverty level over the past 30 years as determined by censuses and the most recent Small Area Income and Poverty Estimates. The bill makes U.S. territories and possessions categorically eligible for funding from within this set-aside.

Categorical Grant: Hazardous Waste Financial Assistance. The bill includes a provision to spend categorical grant funds for the purpose of providing grants to assist States in the development and implementation of state programs for the control of coal combustion residuals under section 2301 of the Water and Waste Act of 2016 (Public Law 114-322), and the Agency is directed to allocate \$3,000,000 from the Hazardous Waste Financial Assistance categorical grants program project for this purpose. The Committees note that funds awarded under the authority provided by this Act are not subject to section 3011 of the Solid Waste Disposal Act (Public Law 89-272).

Superfund Cleanup. The agreement provides \$808,500,000 for Superfund Cleanup. Within this amount, the agreement provides \$190,000,000 for Emergency Response and Removal activities. These activities should include collaborative work with State, Tribal, and local governments to help communities address contaminants of emerging concern. Furthermore, the Committees recommend that the Agency expeditiously remediate Superfund sites contaminated by these emerging contaminants, including PFAS, and provide technical assistance and support to States and Tribes during the remedial cleanup process.

NIEHS Funding. The agreement provides \$81,500,000 for the National Institute of Environmental Health Sciences. . . . Further, of the funds provided, not less than \$1,750,000 shall be allocated to support risk reduction for Native Americans to hazardous metals mixtures from abandoned uranium mine waste.

Enforcement

Bubbly Creek. -The Agency is directed to follow the guidance in Senate Report 116-123. *(The Committee is disappointed that negotiations between the U.S. Army Corps of Engineers, the Department of Justice, and the EPA over remaining liability concerns have yet to produce an outcome that will allow the project to move forward. The Committee urges the parties to expedite a resolution.)*

Guidance. The Committees note that the Agency has rescinded its guidance from March 26, 2020. The Agency is directed to brief the Committees within 90 days of enactment of this Act on how the Agency would approach future exercises of enforcement discretion during emergencies or disasters.

Animas River Spill. The Committees feel strongly that an adequate long-term water quality monitoring program must be in place for the States and Tribes affected following the Gold King Mine Spill into the Animas River that impacted Colorado, New Mexico, Arizona, and the Navajo Nation. The bill includes \$4,000,000 for fiscal year 2021, for a total of \$20,000,000 over five years in accordance with funding authorized in the Water Infrastructure Improvements for the Nation Act (Public Law 114-322). The Committees direct the Agency to continue to work in consultation with affected States and Tribes on this effort. The Agency is also directed to follow the guidance in Senate Report 116-123. *(In addition, the Committee expects the EPA to process all State, tribal, and local requests for reimbursements for costs incurred in an expeditious manner. Further, the Committee concurs with the Agency's decision to reconsider its previous determination to deny claims for damages from the Animas River Spill by*

invoking the discretionary act exemption in the Federal Tort Claims Act (Public Law 79–601) but is concerned that little progress has been made on processing or paying out claims. The Committee is also concerned that the Agency is applying or may apply an inconsistent standard that discriminates against certain claimants. The Committee expects the Agency and the Federal Government to take a clear and consistent position as to whether they are responsible for damages caused to others by the Gold King Mine release. The Committee supports paying out all legitimate claims from the Judgment Fund, consistent with the Federal Tort Claims Act, and communicating all relevant aspects of the claims process clearly to all affected communities, State, local, and Tribal governments, along with the Committee. Within 30 days of enactment of this act, the Agency shall provide to the Committee a written report detailing the status of the review of the legal basis for allowing or rejecting claims and the date by which such review will be complete; the current process underway for processing claims; the status of all claims, including reconsidered claims; the Agency's complete plan for processing all claims; and any other future planned actions related to current or future claims.)

Chemicals and Toxics

Inorganic Arsenic. The Committees understand that a revised risk assessment of inorganic arsenic is currently under development by the Agency. The Committees note the importance of a robust evaluation of all relevant scientific data, including mode of action data. The Committees direct the Agency to brief the Committees if and when the revised risk assessment is completed.

IRIS Program. In lieu of the directive in House Report 116-448 under the heading "Maintaining IRIS Program Integrity," the Committees direct the Agency to continue to utilize the IRIS program to support the Agency's mission to protect human health and the environment.

[House Language in HR 116-448 – Maintaining IRIS Program Integrity. The Committee remains deeply concerned that the Agency has been ignoring Congressional directives and inappropriately assigning resources provided for the Integrated Risk Information System (IRIS) to support work in the Office of Pollution Prevention and Toxics. In the fiscal year 2021, The Committee expects additional resources to be made available to the IRIS program as directed above, and that the program continue within the Office of Research and Development. The Committee expects that workforce costs for IRIS staff who have been detailed to other programs or to other agencies will be borne by the hosting program or agency.

Additionally, to ensure a neutral, systematic, and independent evaluation of the science underlying its decisions, the Agency is directed to utilize the Office of Research and Development to develop the hazard identification and dose-response portions of all Agency risk assessments. The Agency may realign FTE to the Office of Research and Development as necessary.]

Asbestos. The Committees note that the Agency released a draft risk evaluation for asbestos in March 2020. As the Agency continues to find the high risks associated with exposure to asbestos, the Committees encourage the Agency to finalize the risk evaluation and report to the Committees as expeditiously as possible. The Agency must work with Congress to effectively protect communities from further exposure.

[Solo House Language in HR 116-448 – Asbestos. The Committee is concerned the Agency is not taking steps to eliminate the future use of asbestos in a variety of applications. The Agency is directed to submit a report to the Committee within 180 days of enactment of this Act on its efforts to monitor, remove, and eliminate the use of asbestos.]

Designating Chitosan as Minimum Risk. The agreement continues the direction contained in Senate Report 116-123. The Committees expect the Agency to complete the necessary actions as expeditiously as possible and to notify the Committees when the review has been completed. *(The Committee is aware that the Agency has received a petition to add chitosan to the Minimum Risk Pesticide List. The Committee encourages the Agency to review this petition in a timely matter and to notify the Committee when the review has been completed.)*

Interagency Consultations. The Agency is directed to follow the guidance in Senate Report 116-123. *([T]he Committee directs the Administrator of the EPA to consult with the Secretary of the Department of Agriculture on economic analyses, rules and other regulatory actions that impact products currently approved under FIFRA.)*

Research

Strengthening Use of Science. The Committees note the study regarding Strengthening Use of Science in House Report 116-100 has not been received and the Committees expect the Agency to provide information regarding the status of this directive within 60 days of enactment of this Act.

Research: National Priorities. The agreement provides \$7,500,000 to be used for extramural grants, independent of the Science to Achieve Results (STAR) grant program, as specified under this heading in Public Law 116-94. *([Funding is for] high-priority water quality and availability research by not-for-profit organizations who often partner with the Agency. Because these grants are independent of the STAR grant program, the Agency should strive to award grants in as large an amount as is possible to achieve the most scientifically significant research. Funds shall be awarded competitively with priority given to partners proposing research of national scope and who provide a 25-percent match. The Agency is directed to allocate funds to grantees within 180 days of enactment of this act.)*

Microplastics. The Committees support the Agency's ongoing efforts to develop standards for microplastics analysis. The Committees direct the Agency to brief the Committees on these efforts within 60 days of enactment of this Act.

STAR Grants. The Agency is directed to brief the Committees on the program within 60 days of enactment of this Act. Finally, the Agency is directed to brief the Committees on the feasibility of reestablishing its Graduate Fellowship program and of implementing a mechanism to allow for the submission of unsolicited, principal investigator-initiated proposals to STAR in order to capture innovative research ideas that may exist outside of the Agency and that advance its mission.